

**REMARKS**

Claims 1-20 were pending in this application.

Claims 1-20 have been rejected.

Claims 1, 4, 7, and 14 have been amended as shown above.

Claims 1-20 remain pending in this application.

Reconsideration of the claims is respectfully requested. The Applicant makes these amendments and offers the following arguments to place this application in condition for allowance. Alternatively, the Applicant makes these amendments and offers these arguments to properly frame the issues for appeal.

**I. CLAIM OBJECTIONS**

The claims were objected to because of minor informalities in Claims 1, 7 and 14. Claims 1, 7, and 14 have been amended to correct these informalities. The Applicant respectfully requests that the objections to Claims 1, 7, and 14 be withdrawn.

**II. CLAIM REJECTIONS -- 35 U.S.C. § 112**

Claims 1, 7 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Applicant has amended Claim 1, 7 and 14 as shown above.

Applicant respectfully notes that, as to the elements “and wherein the scheduling controller further promotes a transmitting of a matched head of line cell at each virtual output queue and repeats the configuration of the emulated crossbar twice per time slot”, these elements correspond to blocks 430 and 435 of Figure 4. The following is taken from the specification, as filed, and describes these blocks:

FIGURE 4 depicts flow chart 400, which illustrates the operation of exemplary packet switch 111 according to one embodiment of the present invention. During input scheduling, a cell is forwarded to the corresponding one of internal input buffers 321-323 if it would be forwarded to the an internally buffered crossbar (IBX) in the simulated switch (process step 405). During output scheduling, each cell is marked at its internal input buffer in the CIOQ as being active if it is selected by its destined output in the simulated switch to be transmitted out (process step 410). Switch 111 repeats steps 405 and 410 N times, once per time slot (process step 415). Next, switch 111 finds a maximal matching of inputs and outputs over all active cells currently queued at the internal input buffers of the CIOQ (process step 420). Switch 111 then configures bufferless crossbar 340 according to the current matching (process step 425) and transmits the matched head of line (HOL) cell at each VOQ (process step 430). Switch 111 then repeats step 420, 425 and 430 2N times, twice per time slot (i.e., speed-up of two)(process step 435).

Accordingly, the Applicant respectfully requests that the § 112 rejection with respect to Claim 1, 7 and 14, be withdrawn.

**III. CLAIM REJECTIONS – 35 U.S.C. § 103**

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,563,837 to *Krishna, et al.* (hereinafter “Krishna”). This rejection is respectfully traversed.

In ex parte examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142. Absent such a *prima facie* case, the Applicant is under no obligation to produce evidence of nonobviousness. *Id.* To establish a *prima facie* case of obviousness, three basic criteria must be met: *Id.* First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant’s disclosure. *Id.*

Claim 1 has been amended to include the elements of “a scheduling controller connected to the bufferless, non-blocking interconnecting network, wherein the scheduling controller is configured to determine a maximal configuration of the bufferless, non-blocking interconnecting network and emulated crossbar based upon the data in the N input buffers by finding a maximal matching of inputs and outputs currently queued at the N input buffers, configures the bufferless, non-blocking interconnecting according to the maximal matching and wherein the scheduling controller further promotes a transmitting of a matched head of line cell at each virtual output queue

and repeats the configuration of the crossbar twice per time slot.” This element is fully supported by the specification, as filed, including in elements 430 and 435 of Figure 4. As discussed with the Examiner, additional elements from Figure 4, including element 415 have also been incorporated into the independent claims. It is respectfully submitted that none of the prior art teaches, suggests, or anticipates the pending independent claims.

Accordingly, the Applicant respectfully requests that the § 103 rejection with respect to these claims be withdrawn.

**CONCLUSION**

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckcarter.com*.

The Commissioner is hereby authorized to charge any additional fees (including any extension of time fees) connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, LLP



\_\_\_\_\_  
William A. Munck  
Registration No. 39,308

Date: May 2, 2011

P.O. Box 802432  
Dallas, Texas 75380  
(972) 628-3600 (main number)  
(972) 628-3616 (fax)  
E-mail: *wmunck@munckcarter.com*